

## **MINUTES OF BOARD MEETING**

Thursday, November 17, 2016, 9:00 a.m. to 2:06 p.m.  
California Regional Water Quality Control Board  
Colorado River Basin Region  
73-720 Fred Waring Drive  
Palm Desert, CA 92260

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### **CALL TO ORDER**

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Nancy Wright at 9:00 a.m. on November 17, 2016, in Palm Desert, California.

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL (Board Members only)**

Buford Crites, Thomas Davis, Hidali Garcia, Edward Muzik, Jayne Powell and Nancy Wright were present.

The Board Clerk stated that a quorum was present.

Ms. Wright introduced and welcomed the Regional Water Board members

**Regional Water Board Counsel:** Adriana Nuñez

**State Water Board Liaison:** Frances Spivy-Weber (Not Present)

### **Regional Board Staff Present:**

Jose Angel, Frank Gonzalez, Abdi Haile, Mary Serra, Mary Castaneda, Kai Dunn, Nadim Shukry-Zeywar, Joan Stormo, Hilda Vasquez, Doug Wylie, Jose Cortez, Francisco Costa, Maria Davydova, Jeff Geraci, Jeong-Hee Lim,. Cathy Sanford

### **Others Present:**

Eric Brandt, One World Beef (OWB)  
John Lormon, OWB  
Hazel O'Campo, OWB  
Armand Nicholi, OWB  
Roger Mayes, HDWD  
Rosanna Bayon-Moore, City of Brawley  
Sam Couchman, City of Brawley  
Sergio Cabañas, Ormat  
Mark Abbott, Riverside County Environmental Health  
Wayne Sterud, Kent SeaTech  
Mike Massing, Kent SeaTech  
Ryan Kelley, Imperial County  
Matthew Riha, Riverside County  
Kristine Kim, Riverside County  
Fritzy Devera, Riverside County

Andy Horne, Imperial County  
Sara Toyoda, City of Indio  
Ryan Harris, Santa Ana CRWQCB  
Susan Beeson, Santa Ana RWQCB  
Tim Kelley, Imperial Valley Economic Development Corporation  
Luis Olmedo, Comite Civico del Valle

## **MINUTES**

1. Minutes of September 15, 2016 Board Meeting

**MOTION:** Ed Muzik moved, Jayne Powell seconded, Hidali Garcia abstained and the motion was carried to adopt Minutes.

## **PUBLIC FORUM**

2. There were no public comments.

## **UNCONTESTED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS AND WASTE DISCHARGE REQUIREMENTS**

3. R7-2016-0035 Tentative Board Order R7-2016-0035, Waste Discharge Requirements for Kent SeaTech, LLC, Kent SeaTech Corporation Fish Farm, Mecca - Riverside County  
*[Jeong Hee Lim]*

**MOTION:** Tom Davis moved, Hidali Garcia seconded, and the motion was carried unanimously to adopt Order R7-2016-0035.

4. R7-2016-0039 Tentative Board Order R7-2016-0039, Waste Discharge Requirements for the Ormat Nevada South Heber Geothermal Exploration Are Wellfield Basins and Mud Sumps, Heber, Imperial County  
*[Herb Jackson]*

**MOTION:** Tom Davis moved, Hidali Garcia seconded, and the motion was carried unanimously to adopt Order R7-2016-0039.

## **RESOLUTION**

5. R7-2016-0038 Resolution Approving the Local Agency Management Program for Riverside County Department of Environmental Health, Environmental Protection and Oversight Division Land Use and Water Resources Program  
*[Jose Cortez]*

Mary Serra, Supervising WRC Engineer, presented the staff report on the proposed Local Agency Management Program for Riverside County. Region 8 staff were in agreement with the proposed Program and supported adoption of Resolution R7-2016-0038.

**MOTION:** Ed Muzik moved, Tom Davis seconded, and the motion was carried unanimously to adopt Order R7-2016-0038.

6. R7-2016-0042 Resolution Adopting a Mitigated Negative Declaration for the Issuance of Waste Discharge Requirements for the Agricultural Use of Treated Wastewater at One World Beef Slaughterhouse and Beef-Processing Facility, Brawley – Imperial County  
*[Jose Cortez]*

Ms. Hidali Garcia recused herself from participating on this Item and left the Board room.

Jose Cortez, WRC Engineer, presented the staff report on the proposed Mitigated Negative Declaration (MND). He provided an overview of the proposed Project, including changes in the method of wastewater treatment and disposal at the Beef Processing Facility, the potential environmental impacts identified by the Initial Study, and proposed mitigation measures that would reduce any impacts, including nuisance odors, to a level of “not significant”. He also reported that Imperial Irrigation District (IID), the City of Brawley, and Comité Civico del Valle (CCDV) provided written comments on the MND; and he addressed the IID comments.

Jose Angel, Executive Officer, presented and responded to the comments submitted by the City of Brawley and CCDV. He also provided the Board members with copies of the writtent comments. Adriana Nunez responded to legal questions raised by Board members and CCDV. The Board took a short recess to read the comments.

Eric Brandt, OWB owner, spoke about the proposed operations at the beef plant and their significance to the Imperial Valley. He urged the Board to adopt the Resolution.

Supervisor Kelley recommended the Board adopt the proposed Resolution.

Luis Olmedo, CCDV Executive Director, objected to the proposed Resolution.

John Lormon, Counsel for OWB, spoke in support of the Resolution.

Board members discussed postponing action on this ítem and scheduling a special Board meeting for 12/1/2016 to act on the item.

**MOTION:** Buford Crites moved, to schedule a Board meeting for 12/1/2016 to consider acting on the Item. Tom Davis seconded. Motion failed.

**MOTION:** Jayne Powell moved to adopt Order R7-2016-0042 with Errata, Ed Muzik seconded. A roll call vote was taken. Nancy Wright, Jayne Powell, and Ed Muzik voted in favor of the motion. Buford Crites and Tom Davis voted against the motion. The motion was carried.

7. R7-2016-0043 Resolution Expressing Appreciation to Frances Spivy-Weber

**MOTION:** Tom Davis moved, Buford Crites seconded, and the motion was carried unanimously to adopt Order R7-2016-0005

## **OTHER BUSINESS**

8. Informational Update: Salton Sea Management Program Status  
*[Doug Wylie, Jeff Geraci]*

Jeff Geraci, Environmental Scientist presented an update of Salton Sea Management Program (SSMP) activities: SSMP is currently seeking a consultant for approximately \$1.8 million to assist with the design/build of the project; SCH project is still dealing with leases and easement issues; Imperial County put out an RFQ for dust control measures; California Natural Resources Agency (CNRA) and the Department of the Interior (DOI) entered into an MOU for a 10-year term wherein state and feds agree to cooperate. Also addressed Regional Board concerns regarding SSMP: Expressed concerns of decreased inflows in the future due to conservation in ag and in Mexico; Noted potential for bioaccumulation of selenium and other metals, as well as pesticides; Noted decreased dilution will lead to increasing concentration of contaminants, further aggravating bioaccumulation; described impact of exotic water habitat on native wildlife; expressed concerns regarding temperature/ increased salinity and resulting lack of dissolved oxygen.

**9. Informational Update: Assessing Nitrate Impacts to Groundwater Quality in the Coachella Valley**  
*[Cathy Sanford]*

Cathy Sanford, Engineering Geologist with the Basin Planning Unit, provided an update on the investigation of nitrate impacts to groundwater in Coachella Valley, identified as a priority by the 2014 Basin Plan Triennial Review. The project objectives (identify nitrates impacts to groundwater, determine if nitrate sources are controllable, and recommend actions to control and/or eliminate nitrate in impacted areas), the project time line, work completed, and future work were summarized and discussed.

**10. Informational Update: Local Area Management Programs in other Regions**  
(Doug Wylie)

Doug Wylie, Sr. WRCE provided a brief update on Local Area Management Programs (LAMPs) in other Regions. He noted that the Colorado River Basin Water Board had approved the two LAMPs (Imperial and Riverside Counties) that were assigned to it in the State Water Board's Onsite Wastewater Treatment Systems (OWTS) Policy ahead of schedule. Few other Regional Water Boards have approved their assigned LAMPs, so another update will be provided in 12 months once more of the LAMPs have been adopted.

**11. Informational Update: Schedule of Board Meetings for Calendar Year 2017**

The Board established the following 2017 Board Meeting dates:

- January 19 (Brawley @ 9:00 a.m.);
- March 9 (Needles @ 10:00 a.m., with a Tour of the Topock Cleanup Project);
- May 11 (Palm Desert @ 9:00 a.m.);
- June 8 (Yucca Valley @ 10:00 a.m.);
- September 14 (Palm Desert @ 9 a.m.); and
- November 9 (Palm Desert @ 9:00 a.m.).

**12. Informational Update: State Water Resources Control Board Activities**  
*[Adriana Nuñez]*

Ms. Nuñez reported to the Board that the California Supreme Court ruled against the State Water Board regarding the "States Mandates" case (*Department of Finance et al. vs. Commission on State Mandates and County of Los Angeles et al.*). The case revolves around an MS4 Permit the Los Angeles Water Board issued for the L.A. area. The State has filed a petition for rehearing the matter. A decision on the petition is expected anytime this month.

**13. Colorado River Basin Water Board Executive Officer's Report**  
*[Jose L. Angel]*

Mr. Angel stated that he submitted his report to the Board in writing and that he was available to answer questions about it. He added that he attended a meeting of the Twentynine Palms City Council on November 15, 2016, to provide support to the City staff's recommendation to adopt a sewer master plan for the City; and that the Council adopted the plan unanimously.

Kevin Heineman, Supervising IT, provide the Board an update on the Board room improvements and upgrades. He reported that new screens and a dedicated computer have been installed at the room, and individual monitors for the Board members have been purchased. We are waiting for several bids to build the Dias.

**14. Colorado River Basin Water Board Member Comments**

Mr. Davis reported that his termed had expired and asked for how long he can continue to serve. Mr. Angel responded that he will follow up and report back to Mr. Davis.

**15. Colorado River Basin Water Board Chair's Report**  
*[Nancy Wright]*

Ms. Wright asked that last minute comments [be provided to Board as soon as they are received]. She wished everyone a happy Thanksgiving.

**CLOSED SESSION**

- 16.** At any time during the regular session, the Board may adjourn to meet in closed session to consider the appointment, employment, evaluation of performance, or dismissal of a public employee [Authority: Government Code Section 11126(a)]; to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence [Authority: Government Code Section 11126(c)(3)]; to discuss significant exposure to litigation [Authority: Government Code Section 11126(e)(2)(B)(i)]; to discuss whether to initiate litigation [Authority: Government Code Section 11126(e)(2)(C)(i)]; or to discuss initiated litigation [Authority: Government Code Section 11126(e)]. Discussion of litigation is within the attorney-client privilege and may be held in closed session [Authority: Government Code Section 11126(e)(2)].

There was no closed session.

**ADJOURNMENT OF BOARD MEETING**

Meeting adjourned at 2:06 p.m.

**NEXT BOARD MEETING: 9:00 a.m., January 19, 2017, Brawley, CA.**